

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Conf. No.: 8996
)	
Wille et al.)	
)	
Application No.: 10/593,453)	Group Art Unit: 3663
)	
Filed: September 19, 2006)	Examiner: ALGAHAIM
)	
For: Motor Vehicle Control System)	

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION PURSUANT TO 37 C.F.R. §1.181 FOR
WITHDRAWAL OF FINAL REJECTION IN
A SECOND OFFICE ACTION

Dear Sir:

On October 30, 2008, a first Office action on the merits issued in which all claims were rejected as anticipated by Publication No. US2002/0015035 to Inaba et al. On January 29, 2009, Applicants responded to such first Office action, amending the claims to remedy certain informalities and arguing each of lack of anticipation with respect to Inaba et al. No other submission was made. On May 26, 2009 a second Office action on the merits issued in which all claims were rejected as anticipated by U.S. Patent No. 6,275,231 to Obradovich or Publication No. US 2002/0015035 to Inaba et al, making such second action final.

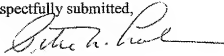
Since MPEP §706.07(a) provides that second or any subsequent actions on the merits shall be final except where the Examiner introduces a new ground of rejection that is neither necessitated by an Applicant's amendment of the claims, nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c), it respectfully is requested that the finality of the Office action of May 26, 2009 be withdrawn and that the response to such Office action filed concurrently herewith be considered.

The Director is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account 14-1437. Please credit any excess fees to such account.

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Respectfully submitted,



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